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OF RACIAL DISCRIMINATION
Forty-third session

DOCUMENTS SUBMITTED IN COMPLIANCE WITH
A SPECIAL DECISION OF THE COMMITTEE*

FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

[2 August 1993]

* By a decision of 19 March 1993, the Committee expressed its grave concern over the ongoing ethnic conflict in the territory of the former Yugoslavia and requested the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and other successor Governments to submit further information on the implementation of the Convention as a matter of urgency.

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ANNEX*

The provisions of the Constitution of the Federal Republic of Yugoslavia, the constitutions of the republics and federal and republican legislation relating to the Convention.

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* The annex may be consulted, as submitted in English, in the files of the secretariat.

I. BACKGROUND INFORMATION

1. By virtue of uninterrupted international personality of Yugoslavia, the Federal Republic of Yugoslavia committed itself, under its Constitution of 27 April 1992, to carry out in good faith all the international obligations assumed under international agreements to which it is a party. Yugoslavia has ratified the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter "the Convention") in 1967 in full, i.e. without stating any particular reservation. In this connection, the Federal Republic of Yugoslavia, as a State party to the Convention, abides by and shall continue to honour all the commitments assumed under this Convention.

2. Starting from article 1 of the Convention, human and civil freedoms and rights ensuring the equality of all people and citizens in the Federal Republic of Yugoslavia are guaranteed by the Constitution of the Federal Republic of Yugoslavia and by the Constitutions of its member republics (the Republic of Serbia and the Republic of Montenegro), as well as by relevant legislation. One of the fundamental constitutional principles enshrined in all three constitutions is the principle of freedom and equality for all citizens. According to this principle, citizens have equal rights and duties regardless of their national affiliation, race, sex, language, religion, political or any other beliefs, education, social background, material or any other status. In addition, the basic legal act of the Federal Republic of Yugoslavia as well as the basic legal acts of its member republics guarantee to all citizens equality before the law.

3. The guaranteed equality of citizens regardless of their political or any other convictions, is in conformity with the established multi-party system in the Federal Republic of Yugoslavia.

4. Apart from a very broad range of freedoms and rights guaranteed by the Constitution, including individual freedoms and rights as well as political, cultural, social and economic rights, particular emphasis should be laid on the constitutional safeguards of the status of national minorities, an issue that will be discussed later on.

5. The constitutional principle of the freedom and equality of all citizens irrespective of any specificity, which is in conformity with article 1 of the Convention, may not be limited by any other measure except when this is necessary to ensure equal freedoms and rights for others, and any abuse thereof is unconstitutional and punishable by law. Any provoking and incitement of national, racial, religious or any other inequality, as well as incitement and fanning of national, racial, religious or any other form of hatred or intolerance is unconstitutional and punishable by law.

6. International treaties which have been endorsed and published in accordance with the Constitution and generally accepted rules of international law form an integral part of the domestic legal order. As a result, the Convention is an integral part of the Yugoslav legal order.

7. The breakdown of the population of the Federal Republic of Yugoslavia by national affiliation is the following:

Serbs	6,504,048
Montenegrins	519,765
Yugoslavs	349,784
Albanians*	1,714,768
Hungarians	344,147
Muslims	336,025
Croats	111,650
Romanies	143,519
Slovaks	66,863
Romanians	42,364
Macedonians	47,118
Bulgarians	26,922
Others	213,974
TOTAL	10,304,026

II. INFORMATION ON THE APPLICATION OF ARTICLES 2-7 OF THE CONVENTION

Article 2

8. Constitutions of the member republics, federal laws, the laws of the member republics and all other regulations and by-laws must be consistent with the Constitution, thus ensuring that, by being in conformity with the constitutional principles of equality, the internal legislation of the Federal Republic of Yugoslavia is also brought into line with its international commitments, assumed under the Convention, towards eliminating all forms of racial discrimination.

9. The government agencies and organizations discharging public functions are duty-bound to honour the Convention and pursue work in conformity with it. Should a decision or any other specific act by the judiciary, administrative or any other government agencies or organizations carrying out public duties infringe upon the principle of freedom and equality of all citizens, any such act shall be repealed in a procedure envisaged under the relevant legislation. In addition, the injured party has the right to claim compensation for damage caused by a government official or agency or organization in pursuit of its public duties and as a result of an illegal or fraudulent activity, in which case the indemnification is to be borne by the State.

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* Since most of the Albanian population boycotted the census, an assessment was made on the basis of internationally verified statistical methodology.

10. The Constitution of the Federal Republic of Yugoslavia and the constitutions of the member republics prohibit any action by political, trade union or other organizations that has for its aim violation of the guaranteed human and civil freedoms and rights or inciting national, racial, religious or any other intolerances or hatred. If a particular organization or citizens' association sets forth in its programme or statute any goals aimed at violating the guaranteed civil and human freedoms and rights or at fanning national, religious, racial or any other intolerances or hatred, it would not be eligible for entry in the relevant court registry, and should such aims be proclaimed after it has been founded, such an organization shall be banned.

11. The decision-making on banning the work of political parties and citizens' associations is under the responsibility of the Federal Constitutional Court, i.e. of the constitutional courts of the member republics. The relevant procedure is initiated by the government agency in charge of registration of political parties and citizens' associations or by the competent public prosecutor ex officio.

12. The Constitution of the Federal Republic of Yugoslavia elaborates in detail the guarantees for the status of national minorities living in the Federal Republic of Yugoslavia on the basis and in accordance with international law. The Federal Republic of Yugoslavia recognizes the national minorities and provides guarantees for their rights to preserve, develop and express their ethnic, cultural, language and other characteristics, as well as the right to use their national emblems in keeping with international law.

13. National minorities are guaranteed a variety of rights based on a large number of international instruments to which Yugoslavia is a signatory. Persons belonging to national minorities are free to show their national affiliation and express their culture and have the right to use their respective language and script. Accordingly, they have the right to education and public information in their mother tongue. They further may establish specific cultural organizations or associations to be financed out of voluntary contributions and may also receive State support. The national minorities' languages and scripts are in official use in various parts of the Federal Republic of Yugoslavia where minorities form a large proportion of the population.

14. The Constitution of the Federal Republic of Yugoslavia stipulates that members of national minorities shall have the right to establish and maintain mutual relations without any hindrance in the Federal Republic of Yugoslavia and beyond with persons belonging to their nation and to participate in the activities of international NGOs. This right may not be implemented to the detriment of the Federal Republic of Yugoslavia or either of its member republics.

15. Apart from the above-mentioned specific rights guaranteed to national minorities on account of their ethnic, cultural, linguistic and any other characteristics, members of national minorities as well as other citizens of the State of the Federal Republic of Yugoslavia also enjoy other fundamental human and civil rights and freedoms that are guaranteed by the basic act of the Federal Republic of Yugoslavia and those of its member republics.

16. Human and civil freedoms and rights, including specific freedoms and rights guaranteed by the Constitution of the Federal Republic of Yugoslavia and those of its member republics, are implemented on the basis of those very constitutions; if otherwise specified by these acts, however, the manner of their implementation may be regulated by statute. The mechanisms in charge of monitoring and supervising the implementation of such freedoms and rights have been set up as part of legislative and executive federal and republican authorities. A particularly important role is played here by the Federal Ministry for Human and Minority Rights which is, among other things, in charge of monitoring the implementation of minority rights and initiates appropriate proceedings with the competent agencies for the safeguarding of human and civil rights and freedoms, including those of persons belonging to national minorities.

17. Specific rights guaranteed under the Constitution of the Federal Republic of Yugoslavia in respect of members of national minorities, including the right to use the language and script as well as to receive education in their mother tongue, have been regulated in more detail by relevant laws.

18. A federal law on minority rights and a law on the official use of languages are currently in the process of being drafted in the Federal Republic of Yugoslavia.

Article 3

19. Since the submission of its tenth periodic report, Yugoslavia has continued to carry out its obligations under the Convention on the Suppression and Punishment of the Crime of Apartheid, which was ratified in 1975. In pursuit of its assumed commitments, the Federal Republic of Yugoslavia has incorporated in its Criminal Code as a crime subject to punishment any persecution of organizations or individuals acting in support of equality for all citizens. The crime is punishable by six months to five years of imprisonment.

20. In addition, the Federal Criminal Code, in article 141, also lays down the crime of genocide reflecting the provisions of the Convention on the Suppression and Punishment of the Crime of Genocide, as well as the International Convention on the Suppression and Punishment of the Crime of Apartheid. This crime entails any deliberate or planned actions or activities against members of a certain national, ethnic, racial or religious group with a view to its complete or partial destruction. This crime is punishable by no less than 5 and up to 20 years in prison.

21. Yugoslavia adopted in 1963 a law, banning maintenance and establishment of economic relations with the Republic of South Africa pursuant to the relevant United Nations General Assembly resolutions, which is effective even today. The Federal Republic of Yugoslavia has not established diplomatic relations with the Republic of South Africa. Future diplomatic, economic and any other relations between the Federal Republic of Yugoslavia and the Republic of South Africa shall evolve in keeping with any decisions to be brought by the international community in regard to the Republic of South Africa.

Article 4

22. Yugoslavia is a signatory to all major international treaties pertaining to the denouncement and prohibition of racial and any other discrimination. Apart from the International Convention on the Elimination of All Forms of Racial Discrimination, Yugoslavia has ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural rights, as well as the International Convention on the Suppression and Punishment of the Crime of Apartheid. The actions prohibited under these treaties have served as a basis for instituting a number of crimes in the Yugoslav Criminal Code.

23. The criminal activities envisaged by the International Convention on the Suppression and Punishment of the Crime of Apartheid have largely been incorporated in the concept of the crime of genocide set forth in article 141 of the Criminal Code of the Federal Republic of Yugoslavia, as mentioned above. The application of the constitutional principle of equality and freedom for all citizens of the Federal Republic of Yugoslavia irrespective of their distinctive or individual qualities is ensured within the framework of criminal law under a provision in the federal and republic criminal codes stipulating that any violation of a citizen's equality is a crime and is prosecuted by either federal or republican authorities. Likewise, inciting national or racial hatred among nations and national minorities living in the Federal Republic of Yugoslavia constitutes a crime under article 134 of the Criminal Code of the Federal Republic of Yugoslavia. Finally, article 154 of the same code stipulates that any racial or other discrimination regarded as an incriminating act under international law which has not been covered by any of the above-mentioned incriminations will also constitute a crime punishable by law. As a rule, the last-mentioned incrimination also applies to cases of discrimination against non-Yugoslav citizens or to crimes committed abroad.

24. The provisions of the Constitution of the Federal Republic of Yugoslavia and those of the member republics governing equality of citizens formed a basis for defining the crime of violation of equality of citizens spelled out in the federal and republican Criminal Codes. All three of those codes contain identical incriminations, the only difference being in the status of offenders. An offender on the above-mentioned counts may be any person in a position to deny or restrict a citizen's right or to grant privileges and benefits. These are most often public officials, military and other responsible officers; however, federal government officials or military officers who commit this crime answer under the Federal Criminal Code, article 186 and all other offenders under article 60 of the Criminal Code of the Republic of Serbia or under article 52 of the Criminal Code of Montenegro. Almost identical incriminations for this crime in all of these three codes are due to the delimitation of legislative competences in the area of criminal law among the federal State and the member republics.

25. By virtue of article 186 of the Criminal Code of the Federal Republic of Yugoslavia, article 60 of that of the Republic of Serbia and article 52 of that of Montenegro, whoever denies limits or restricts civil rights established by the constitution, law or any other regulation or by-law or by ratified international treaty, or grants citizens privileges or benefits on account of their nationality, race, religion, political or any other

conviction, ethnic affiliation, sex, language, education or social status shall be punished by a term of imprisonment of three months to five years.

26. The injured party in terms of the above-mentioned crime may be one or several citizens of the Federal Republic of Yugoslavia whose rights or legitimate interests happen to be infringed upon.

27. It is noteworthy that the above-mentioned incriminations, which are meted out for any violation of civil equality under the amended federal and republican Criminal Code, were supplemented in 1990 pursuant to article 1, paragraph 1, of the Convention so that any distinction made on the grounds of political or any other convictions, as well as denial or restriction of any civil rights set forth in the ratified international treaty, now constitute an act of crime. Harmonization of the Criminal Code of Montenegro with the federal code is under way.

28. The Criminal Codes of the member republics lay down as a separate crime any infringement of a citizen's right to use his mother tongue which may involve denying or restricting the right to use one's language or script and could adversely affect any citizen of the Federal Republic of Yugoslavia.

29. The Federal Republic of Yugoslavia's Criminal Code stipulates that incitement of national, racial or religious hatred, discord or intolerances, as well as any act of racial or other discrimination, shall be punishable by law. Incitement or fanning of national, racial or religious hatred, discord or intolerance among the nations and national minorities living in the Federal Republic of Yugoslavia is punishable by one to five years' imprisonment.

30. If the above offence also involves coercion, harassment, threats to security or ridicule of national or ethnic or religious symbols, damage to other people's property, monuments or memorial complexes or desecration of graves, it is subject to more severe punishment involving one to ten years of imprisonment.

31. The worst forms of the above crime presuppose abuse of office or competences and call for one to eight years' imprisonment, or one to ten years in prison if such acts have led to unrest, violence, or otherwise adversely affected the coexistence of nations or national minorities in the Federal Republic of Yugoslavia.

32. The mentioned crime has three manifest forms:

(a) Violation of basic human rights and freedoms recognized by the international community on the basis of distinction on account of race, colour, nationality or ethnic background, punishable by six months to five years in prison;

(b) Persecution of any organizations or individuals for acting in support of equality, punishable by six months to five years of imprisonment;

(c) Spreading ideas about the superiority of one race over another, advocating racial hatred or encouraging racial discrimination, punishable by three months to three years* of imprisonment.

Article 5

33. The Constitution of the Federal Republic of Yugoslavia stipulates that everyone shall have the right to equal protection of his rights in a legally prescribed procedure and that everyone shall be guaranteed the right of appeal or any other legal remedy against a decision concerning any of his rights or legitimate interests (art. 26). The Constitution also guarantees respect for the human personality and dignity in criminal and any other proceedings in case of arrest or detention as well as during the serving of the sentence.

34. Any form of violence inflicted upon an arrested or detained person, as well as any forced extortion of testimony and statements, is prohibited and punishable.

35. The Constitution envisages that nobody may be subjected to torture or to degrading punishment or treatment meaning that any medical or other tests on humans without their prior consent are prohibited (art. 25 of the Constitution).

36. To guarantee the right of respect for the human personality and dignity, the Criminal Code of the Federal Republic of Yugoslavia and those of the member republics envisage criminal punishment for any abuse in pursuit of official duties (art. 191 of the Criminal Code of the Federal Republic of Yugoslavia), or ill-treatment (art. 66 of the Criminal Code of the Republic of Serbia and art. 57 of the Criminal Code of the Republic of Montenegro), as well as extortion of statements under article 65 of the Criminal Code of the Republic of Serbia and article 56 of the Criminal Code of the Republic of Montenegro.

37. For the first time in Yugoslavia the Constitution of the Federal Republic of Yugoslavia guarantees the following political freedoms and rights: freedom of press and of other forms of information to act without prior approval, i.e. only with prior notification of line of activity; prohibition of censorship of the press; the guaranteed freedom of political, trade union and other organizations to act without approval and only against notification of line of activity; freedom of assembly and other peaceful association, without approval, only against prior notification of such assembly; the right to public criticism of government agencies and officials and their work and protection against responsibility for the criticizing statements made, except in case such statements constitute a criminal offence.

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* Excerpt from the Criminal Code of the Federal Republic of Yugoslavia and those of the Republics of Serbia and Montenegro related to the relevant criminal acts is enclosed in the annex to this report.

38. In contrast to the earlier constitution, the Constitution of the Federal Republic of Yugoslavia specifies the following in the area of personal freedoms and rights with a view to protecting citizens' status and their civil rights in criminal proceedings: the requirement for the agency arresting a person to immediately inform that person in his mother tongue of the reasons behind his arrest and to advise his family thereof; to make the arrested person understand that he is under no obligation to state anything and that he has the right to hire a defence counsel immediately upon his arrest; and that any violence or extortion of testimony from arrested or detained persons is prohibited and punishable; nobody may be subjected to torture, humiliating or degrading treatment. In addition, the provision of individual freedom of movement and establishment has been further elaborated and supplemented with the right to leave and return to the country, and individual religious freedom with the freedom to practise a faith in public or in private and perform religious rites, and particularly with the right not to be obliged to disclose one's religious beliefs. This set of freedoms and rights also includes the refined provision on protection of personal data and a man's right to be advised of the data collected about him.

39. The Constitution of the Federal Republic of Yugoslavia guarantees to any Yugoslav citizen aged 18 and over the right to elect and be elected to government agencies, and the Criminal Codes of the member republics and the federal law on elections envisage as criminal offences any violation of the voting right, of the freedom of choice in taking a vote and abuse of the voting right.

40. The Constitution of the Federal Republic of Yugoslavia and the relevant laws guarantee and safeguard rights envisaged by article 5 (d) (i) to (i.x) and (e), (i) to (v.i) of the Convention. The rights stipulated by article 5 (f) of the Convention are not subject to any restrictions whatsoever in the Federal Republic of Yugoslavia.

Article 6

41. Article 26, paragraph 2 of the Constitution of the Federal Republic of Yugoslavia guarantees to every person the right of appeal or any other legal remedy against a decision taken in respect of his right or legitimate interest. Any abuse of human and civil freedoms and rights is unconstitutional and punishable, i.e. the freedoms and rights guaranteed and safeguarded by the Constitution of the Federal Republic of Yugoslavia enjoy judicial protection.

42. If a crime is committed by violation of a guaranteed right or freedom, criminal action is taken against the offender and in the majority of cases brought by the competent prosecutor ex officio, whereas a number of criminal charges are laid in such a case on the basis of a private complaint filed by the injured party.

43. In case a person's freedom has been violated or a human or civil right established by the Constitution of the Federal Republic of Yugoslavia by an individual act or through an action on the part of judicial, administrative and other government agencies or legal persons performing public duties, such

a person has the right to submit a constitutional appeal to the Federal Constitutional Court, if no other legal remedy has been provided for.

44. Apart from a person whose right or freedom has been infringed upon, a constitutional appeal on his behalf may be submitted by a citizens' association or any other legal entity which in conformity with its rules has the task of safeguarding human and civil rights and freedoms, whose protection is sought before the court of law. Likewise, the right to submit constitutional appeals on behalf of the injured party at the latter's request or ex officio is exercised by the Federal Ministry for Human and Minority Rights.

45. If the Federal Constitutional Court establishes that a right or freedom guaranteed under the Constitution of the Federal Republic of Yugoslavia has been infringed upon by an individual act of any government agency or other legal persons discharging public functions, the Court shall annul such an individual act and rule that the consequences resulting therefrom should be removed. If the rights or freedoms happen to be violated as a result of an action by the mentioned agencies, the Court shall prohibit any further pursuit of such action and order the consequences arising from such action to be removed.

46. Everyone has the right to be compensated for material or non-material damage caused as a result of an illegal or fraudulent activity on the part of a public official or a government agency or a legal person discharging public functions. The indemnification is borne by the State or by a legal person discharging public functions.

47. From the submission of the tenth periodic report up to the submission of the present report, i.e. from 1 January 1989 to 31 December 1992, two complaints were filed in the Federal Republic of Yugoslavia on criminal charges of racial and other discrimination set out in article 154 of the Criminal Code of the Federal Republic of Yugoslavia, both in 1991; the charges were eventually dropped as it was established that there had been no crimes.

48. From 1 January 1989 to 1 December 1992, 78 criminal proceedings were instituted for violations of equality of citizens, i.e. the use of language and script prescribed under articles 60 and 61 of the Criminal Code of the Republic of Serbia.

49. The District Court of Priština heard 38 criminal cases; 23 persons received prison sentences, 5 persons were given a suspended sentence, a security measure was imposed on 1 person, charges were dropped against 7 persons and 18 persons were acquitted.

50. In the period under review, 15 persons were charged with the above-mentioned criminal offences, i.e. 1 in 1989 and 14 in 1990. Following trials in the Novi Pazar District Court, 11 persons were sentenced to imprisonment - among whom one received a suspended sentence - while four persons were acquitted.

51. In the same period in the Prizren District Court charges were brought up against 13 persons for the criminal offence of violation of equality of

citizens, i.e. violation of the equitable usage of languages and alphabets. Out of the said number of defendants, seven received a sentence - four persons were acquitted and two trials are still going on.

52. Three proceedings were instituted before the Belgrade District Court among which two have still not been concluded, while in the case of the third one the request for investigation was rejected.

53. Two proceedings were instituted before the Sremska Mitrovica District Court. In the case of one of them the verdict has still not been reached while in the case of the other the charges were rejected.

54. Two proceedings were instituted before the Vranje District Court. In the first case one person received a suspended sentence of imprisonment, while in the other one person was sentenced to imprisonment.

55. The Pirot District Court conducted single proceedings which were discontinued since the Public Attorney dropped the charges.

56. In the period under review no criminal proceedings were initiated in the Republic of Montenegro since no relevant charges for criminal offences were brought.

Article 7

57. Constitutional and legal provisions governing the area of education and training in the Federal Republic of Yugoslavia and the Republics of Serbia and Montenegro fully recognize the objectives and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the International Convention on the Elimination of All Forms of Racial Discrimination Equality with respect to the right to education, access to educational institutions by all, compulsory elementary education and training in the spirit of racial, religious, national and cultural tolerance are particularly emphasized in the constitutions and the laws governing school curricula.

58. The Constitution of the Republic of Serbia (art. 32) stipulates that education shall be accessible to all under equal conditions, and that elementary education shall be compulsory for all the citizens of Serbia, regardless of their race, sex, place of birth, language, national affiliation or other particular feature.

59. The Constitution of the Republic of Montenegro (arts. 62, 68, 70) stipulates that all persons shall exercise the right to education under equal conditions, that elementary education shall be compulsory for all, that members of national and ethnic groups shall have the right to education in their mother tongues as well as that the curricula of educational institutions shall include also the teaching of history and culture of the national and ethnic groups.

60. While in the Republic of Montenegro the right to education, national, religious and racial equality are entirely regulated by the constitutional provisions, in the Republic of Serbia the Elementary Education Act further elaborates and concretizes the constitutional provisions. One of the objectives of elementary education (art. 2 of the above-mentioned Act) is education for humane and cultural relations among people, regardless of their sex, race, religious worship, nationality or belief.

61. The above-mentioned principles of equality are observed and applied in the curricula for elementary and secondary schools in both Yugoslav republics, as follows:

(a) Through the objectives of education in the humanistic, disciplines (mother and foreign languages, civics, history, arts, culture and civilization, philosophy, constitution and the rights of citizens) where emphasis is placed on education for humane relations among people or enhancing the awareness of the role of language (foreign language teaching) in establishing links among peoples and in fostering a tolerant attitude towards people belonging to other cultural communities;

(b) Through different forms of extra-curricular activities and organization of pupils (United Nations clubs, activities devoted to the adoption of important United Nations decisions or declarations - the rights and the Day of the Child, United Nations Day, etc.);

(c) Through the subject matter taught within the framework of the humanistic subjects in general and history in particular.

62. In line with the aforementioned declarations, human rights are particularly elaborated and regulated by the constitutional and legal provisions on the education of national minorities and the usage of the mother tongue. The Constitution of the Republic of Serbia (art. 8), the Official Usage of the Language and Alphabet Act and the Elementary Education Act guarantee the right to the use of mother tongue and alphabet in official communications, pursuant to the special statutory provisions and the right to compulsory elementary education in the mother tongue, as well as the possibility of secondary education in the same language provided there exist special legal prerequisites for its organization.

63. In the Republic of Serbia, which has the largest percentage of national minorities, elementary and secondary education, is organized in Albanian, Hungarian, Slovak, Romanian, Bulgarian, Ruthenian and Turkish, in addition to Serbian.

64. According to the 1990 statistical data, in the 1989/90 school year, the Republic of Serbia had 1,131 elementary and 119 secondary schools in which education was organized in the languages of the national minorities, with the breakdown being the following:

(a) Education in Albanian was organized in 904 elementary (314,218 pupils) and 69 secondary schools (73,281 pupils);

(b) Education in Hungarian or bilingual (Hungarian and Serbian) education was organized in 123 elementary (26,917 pupils) and 26 secondary schools (6,911 pupils);

(c) Education in Bulgarian or bilingual (Serbian and Bulgarian) education was organized in 38 elementary schools (2,451 pupils);

(d) Education in Romanian was organized in 31 elementary schools (2,100 pupils) and 3 secondary schools (141 pupils);

(e) Education in the Slovak language was organized in 21 elementary schools (1,883 pupils) and 10 secondary schools (406 pupils);

(f) Education in Turkish was organized in 11 elementary schools (1,883 pupils) and 10 secondary schools (406 pupils);

(g) Education in Ruthenian was organized in 3 elementary schools (734 pupils) and 1 secondary school (159 pupils).

In the same school year there were 16,414 teachers lecturing their subjects in minority languages.

65. Official plans and curricula are printed in minority languages and contain special annexes with specific contents of importance for fostering the cultural identity of each minority. Textbooks are also published in minority languages. In addition, it should be pointed out that the Programme of the Federal Ministry of Education and Culture, entitled "Training for Life in a Democratic, Multi-national and Multi-cultural Society", has been adopted with the intention to encourage development of democratic culture, tolerance among nations and inter-cultural rapprochement in the territory of Yugoslavia. The Programme target groups are preschool children, elementary and secondary school pupils and college students. It is characterized, inter alia, by the following features:

(a) Amendments to the programmes of preschool and school education, curricula and textbooks, changes in the teaching style and the establishment of a democratic climate both in schools as well as in extra-curricular activities;

(b) Participation of youth in local community activities, workshops on tolerance, solidarity drives and actions related to inter-ethnic reconciliation;

(c) Media activities at the federal level, "the Week of Peace", exhibitions and discussions on specific topics, dialogue among the public opinion-makers and national leaders, etc.

The implementation of such a Programme implies significant funds which are hard to ensure under the conditions of sanctions imposed by the international community on the Federal Republic of Yugoslavia.

66. The Federal Republic of Yugoslavia is a multi-ethnic, multi-confessional and multi-cultural community and therefore the principles of racial, ethnic, religious, political and cultural tolerance are of vital importance for its very survival. Thus, safeguarding of national, ethnic, religious and cultural identity has consistently been built in the Constitution of the Federal Republic of Yugoslavia and each and every law (especially the Criminal Code). In addition to the majority - Serbian and Montenegrin - culture, in Yugoslavia there are numerous other cultures, such as the Albanian, Hungarian, Romanian, Bulgarian, Slovak, Romany (Gypsy), Ruthenian, Turkish, etc.

67. Every ethnic group in Yugoslavia has its national and cultural institutions and associations. Those are institutions of a general type involved in fostering national and cultural identity (the so-called maticas, for instance: Slovaks Matica, Croats Matica, Ruthenian Matica, Association of Bulgarians, Association of Romanies, Association of Hungarians, etc.) as well as specific cultural institutions (cultural and artistic societies, theatres, publishing houses, papers, journals, radio and television broadcasting stations, etc.). Political parties established on the ethnic principle (Albanian, Hungarian, Romany, Croatian) also play a great role in safeguarding the respective national and cultural identity. All those institutions and organizations freely participate in international communications and maintain unhampered relations with their respective cultures and peoples, especially with those in the neighbouring countries.

68. Today, a number of papers in Yugoslavia are published in the languages of the national minorities: 2 in Bulgarian, 6 in Czech and Slovak, 25 in Hungarian, 11 in Romanian and Ruthenian, 18 in Albanian, 3 in Turkish. Those papers (dailies and weeklies) are published in the following number of issues annually: Bulgarian: 133,000, Czech and Slovak: 2,991,000, Hungarian: 12,700,000, Romanian and Ruthenian: 420,000, Albanian: 3,136,000 and Turkish: 96,000.

69. In the course of 1990, the following quantities of books were published in minority languages (the number in parentheses denote the number of copies): Bulgarian: 3 (3,000), Hungarian: 58 (173,000), Ruthenian: 26 (16,000), Albanian: 195 (912,000), Turkish: 15 (16,000), Czech and Slovak: 23 (28,000).

70. Following are data on the number of magazines and their circulation in the languages of national minorities: Bulgarian: 1 (2,000), Czech and Slovak: 6 (65,000), Hungarian: 6 (44,000), Romanian and Ruthenian: 2 (7,000), Albanian: 14 (381,000), Turkish: 1 (4,000).

71. There also exist television programmes in the languages of the national minorities broadcast either daily or several times a week. The hours of such programmes by language in 1991 was as follows: Albanian: 1,125, Bulgarian: 12, Hungarian: 745, Romanian: 140, Ruthenian: 120, Slovak: 141, Turkish: 135. These are mainly programmes broadcast by TV Belgrade, Novi Sad and Priština.

72. There also exist in Yugoslavia professional theatres in the Albanian language (in the 1990/1991 season there were two such theatres), and in the Hungarian language (three theatres in 1991/92). There are also children's

theatres in these languages (two in the Hungarian language, for instance). The theatres are, as a rule, amateur, and there are three Albanian, four Bulgarian, six Hungarian, three Slovak, four Romanian and three Ruthenian theatres for the 1989/90 season.

73. In every town in which national minorities live there is at least one cultural centre (including, as a rule, a library, a cinema, and music, arts or theatrical amateur clubs or groups). Such centres are financed by communal authorities or self-financed, while all other cultural institutions are State subsidized.

74. There are also numerous institutions which serve as meeting places for members of all the nationalities, their aim being the mutual familiarization of cultures, the removal of national barriers through the cooperation of artists and the promotion of cultural tolerance. Such institutions are, for example, what are known as painters' and sculptors' colonies, art galleries and various Musical Youth undertakings, as well as local radio and television programmes and annual festivals of traditional regional cultures, literary gatherings, translators' meetings and others. Official cultural policy, in fact, encourages this cross-pollination of cultures, interculturalism and cultural pluralism, in particular publishing activities in the languages of the national minorities.

75. Giving practical effect to the Convention shall be improved after the adoption of the Law on the Rights of National Minorities, which the Federal Assembly is to have on its agenda in the autumn. This Law shall regulate in more specific terms, inter alia, the protection of cultural specificities and traditions, the right to use one's native tongue, freedom of religion and other cultural and national rights.

76. The Yugoslav mass media, in pursuing their activities, consistently abide by the provisions of the Constitution of the Federal Republic of Yugoslavia, prohibiting any provocation and instigation of national, racial, religious or other inequality, and fanning of national, racial and other hatred and intolerance.

77. The supreme legal document of the country, the Constitution of the Federal Republic of Yugoslavia, stipulates that the provoking of national, racial or religious intolerance and hatred through the press and other mass media shall be prohibited and will be grounds, if so ruled by a court, for banning the distribution of a given paper or other form of public information.

78. Proceedings from the constitutional provision referred to, the Law on the Premises of the System of Public Information also stipulates that the editor-in-chief of a mass medium shall be held responsible for the programme policy of the medium in question if it is so designed as to provoke national, racial, or religious intolerance or hatred.

79. The non-governmental organization, Friends of the Children of Serbia and its Committee for the Protection of the Rights of the Child have produced and

published, aided by the Belgrade UNICEF centre, "Children and the Media Code: A Code of Media Conduct vis-à-vis Children". The Code makes it incumbent on the media to advocate and spread an attitude of non-discrimination in every respect, acknowledging natural differences resulting from the affiliation to different cultural, ethnic, confessional and other groups. The Code condemns all violence and all forms of discrimination between children on the basis of race, sex, colour, language, religion, ethnic or social origin. It particularly insists on the media devoting due attention to the linguistic needs of children belonging to a minority group, or of indigenous origin.

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